



ANNO DECIMO NONO

ELIZABETHAE II REGINAE

A.D. 1970

No. 30 of 1970

An Act to amend the Pastoral Act, 1936-1969.

[Assented to 12th November, 1970]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Pastoral Act Amendment Act, 1970".

(2) The Pastoral Act, 1936-1969, as amended by this Act, may be cited as the "Pastoral Act, 1936-1970".

(3) The Pastoral Act, 1936-1969, is hereinafter referred to as "the principal Act".

Amendment of
principal Act,
s. 7—
Constitution
of board.

2. Section 7 of the principal Act is amended by striking out the second sentence of subsection (3).

Repeal of
s. 8 of
principal Act.

3. Section 8 of the principal Act is repealed.

Repeal of
s. 65 of
principal Act.

4. Section 65 of the principal Act is repealed.

Amendment of
principal Act,
s. 132—
Mining
operations on
pastoral lands.

5. Section 132 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsections:—

(2) Operations in pursuance of the Mining Act, 1930-1962, or the Petroleum Act, 1940-1969, shall not be carried out upon land comprised in a lease and—

- (a) situated within four hundred and forty yards of any well, waterbore, reservoir, dam, water tank, or aeroplane landing strip, or of any dwellinghouse, factory, or building of the value of two hundred dollars or more;
 - (b) so situated that such operations will prevent the access of stock to any watering place;
- or
- (c) situated within twenty-five yards of any fence (other than a fence erected in the course, or for the purposes, of such operations).

without the approval in writing of the Minister.

(3) A person by whom operations are carried out in contravention of subsection (2) of this section shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

6. The following section is enacted and inserted in the principal Act immediately after section 137 thereof:—

Enactment of
s. 137a of
principal Act—

137a. (1) If the Minister is of the opinion that the boundary of any land as shown in any lease does not accurately correspond with the boundary of the land in actual occupation by the lessee, he may, on the recommendation of the board, alter the boundary as shown in the lease to correspond with the boundary of land in actual occupation.

Boundary may
be altered
to correspond
with actual
occupation.

(2) Where a boundary is altered pursuant to subsection (1) of this section, the Minister may lodge in the office of the Registrar-General a memorandum containing—

- (a) a reference to the volume and folio, as appearing in the Register Book of Crown Leases, of each lease affected by the alteration;
- and
- (b) particulars of the alteration, of any consequential variation of the area of the lease, and, if the Registrar-General so requires, a plan of the alteration.

(3) Where a memorandum of the alteration of a boundary has been lodged in accordance with this section, the Registrar-General shall indorse on the appropriate folio in the Register Book of Crown Leases and on the lessee's copy of the lease (if produced to him) and on any registered instrument relating to the land affected, a memorandum of the alteration of the boundary of the land comprised in the lease, and thereupon the land to which the lease and any such instrument relates shall for all purposes be increased or diminished, as the case may be, in accordance with the alteration.

(4) If the Minister is of the opinion that in consequence of the alteration of a boundary under this section some variation should be made in the rent payable by the lessee, he may determine an appropriate variation of rent, and rent shall be payable in accordance with that determination from a date (not being a date preceding the date of the determination) fixed in a notice of the determination served upon the lessee.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.